

Message Text

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ORIGIN EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 INR-10 NSAE-00 RSC-01

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DRAFTED BY EB/ ITP/ EWT: JMGREGORY, JR.: MAR

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

C O N F I D E N T I A L STATE 062477

EXCON

EO 11652: XGDS-1

TAGS: ESTC, COCOM, US, RO

SUBJ: US INTEGRATED CIRCUIT HOUSINGS TO ROMANIA -

IL 1564

REFS: A. COCOM DOC(72)2397

B. OECD PARIS 4313

1. REVIEW OF THE POSITIONS TAKEN BY VARIOUS DELEGATIONS REVEALS THE UNANIMOUS VIEW THAT IC HOUSINGS THEMSELVES ARE NOT DIRECTLY COVERED BY THE 1564 DEFINITION. MOREOVER, IT IS OBVIOUS THAT NOT ALL MEMBERS WOULD APPLY AP-4 TO THESE HOUSINGS. THEREFORE IT MAY BE APPROPRIATE FOR THE RESERVING DELEGATIONS TO SEEK TO REMEDY THIS APPARENT LAPSE OF COVERAGE AND/ OR TO DETERMINE WHETHER EXPORTERS HAVE PERCEIVED A REQUIREMENT TO APPLY FOR LICENSES FOR SUCH COMPONENTS OR WHETHER THEY ARE BEING SHIPPED WITHOUT REFERENCE TO MEMBER GOVERNMENTS.

2. THE UK AND FRENCH DELS HAVE STATED THAT, IN THE VIEW OF THEIR GOVERNMENTS, THE HOUSINGS ARE OF A MILITARY TYPE UNSUITED FOR THE STATED END USE. US AUTHORITIES HAVE
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INDICATED THAT THERE ARE CIVIL USES FOR FLAT PACKS, BUT IN THIS SPECIFIC INSTANCE THEY HAVE BEEN UNABLE TO PROVIDE ADDITIONAL RATIONALE FOR THE DESIGN DECISION TO USE THEM IN THE CALCULATOR IN QUESTION. THEY REGARD THE SMALL NUMBER OF HOUSINGS, THE LENGTHY RECORD OF COMMITTEE APPROVALS FOR THE END USER AND THE ABSENCE OF ANY RECORD OF ABUSE BY THE END USER AS THE PRINCIPLE FACTORS MITIGATING RISK OF DIVERSION.

3. DEL SHOULD CITE ABOVE IN REQUESTING FINAL POSITIONS ON CASE FROM UK AND FRENCH DELS.

4. IN ORDER TO RESOLVE ISSUES, DEL INSTRUCTED PROPOSE URGENT COMMITTEE CONSIDERATION FOR ADDITION OF SUB- ITEM TO THE IL 1564 READING " SPECIALIZED PARTS AND COMPONENTS FOR THE ABOVE". ROGERS

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NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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